

The Honorable John H. Chun

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

AMAZON.COM, INC., *et al.*,

Defendants.

No. 2:23-cv-0932-JHC

**STIPULATION AND [PROPOSED]  
ORDER TO AMEND SCHEDULING  
ORDER**

**NOTE ON MOTION CALENDAR:  
November 5, 2024**

STIPULATED MOTION

The parties, by and through their attorneys of record, respectfully request that the Court enter the proposed Order set forth below, amending the case schedule.

In support of this request, the parties represent the following to the Court:

1. On June 27, 2024, the Court entered a minute order setting the trial date and related dates on June 14, 2024. Dkt. 175.

2. Since that time, the parties have actively and diligently engaged in extensive discovery. These discovery efforts have taken longer than the parties originally anticipated.

3. To allow sufficient time for expert analysis and related discovery, the parties agree that adjustments to the case schedule are warranted as set forth below.

4. To accommodate these adjustments, the parties also agree that an extension of the trial date by approximately two months to a date convenient for the Court, and a corresponding adjustment to the related pre-trial deadlines, are warranted.

STIPULATED MOTION AND  
[PROPOSED] ORDER TO AMEND SCHEDULING ORDER  
(2:23-cv-0932-JHC) - 1

Davis Wright Tremaine LLP  
LAW OFFICES  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
206.622.3150 main · 206.757.7700 fax

5. Accordingly, the parties stipulate and jointly request that the Court enter an Order amending the case schedule as follows:

Event	Existing Deadline (Dkt. 175)	Joint Proposed Deadline
Deadline for Amended Pleadings	November 12, 2024	November 12, 2024
Motions Relating to Fact Discovery	December 11, 2024	December 11, 2024
Fact Discovery Deadline	January 10, 2025	January 10, 2025
Opening Expert Reports (all parties)	November 12, 2024	January 24, 2025
Rebuttal Expert Reports (all parties)	December 12, 2024 (calculated under FRCP 26)	March 7, 2025
Motions Relating to Expert Discovery	December 11, 2024	March 7, 2025
Expert Discovery Deadline	January 10, 2025	April 4, 2025
Dispositive and <i>Daubert</i> Motions	February 10, 2025	May 2, 2025
Responses to Dispositive and <i>Daubert</i> Motions	March 3, 2025 (calculated under LCR 7)	May 23, 2025
Replies In Support of Dispositive and <i>Daubert</i> Motions	March 10, 2025 (calculated under LCR 7)	June 6, 2025
Settlement Conference	April 10, 2025	June 13, 2025
Plaintiff's Pretrial Statement & Deposition Designations Served But Not Filed (per LCR 16(h) and LCR 32(e))		June 30, 2025
Motions in Limine	April 28, 2025	July 8, 2025
Defendants' Pretrial Statement & Deposition Designations Served But Not Filed (per LCR 16(i) and LCR 32(e))		July 9, 2025
Agreed Pretrial Order	May 19, 2025	July 29, 2025
All Parties' Deposition Designations filed with Court	May 21, 2025	July 31, 2025
Pretrial Conference (1:30 pm)	May 27, 2025	August 5, 2025
Trial Briefs, Proposed Voir Dire, Jury Instructions	June 2, 2025	August 11, 2025
Trial Date	June 9, 2025	August 18, 2025

STIPULATED MOTION AND  
[PROPOSED] ORDER TO AMEND SCHEDULING ORDER  
(2:23-cv-0932-JHC) - 2

6. Based on the foregoing, the parties respectfully request that the Court grant their motion through entry of the Proposed Order below.

Stipulated to and respectfully submitted this 5th day of November, 2024, by:

DAVIS WRIGHT TREMAINE LLP  
*Attorneys for Defendants*

By s/ Kenneth E. Payson  
Kenneth E. Payson, WSBA #26369  
James Howard, WSBA #37259  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
Telephone: (206) 622-3150  
Fax: (206) 757-7700  
E-mail: kenpayson@dwt.com  
jimhoward@dwt.com

COVINGTON & BURLING LLP

Stephen P. Anthony\*  
Laura Flahive Wu\*  
Laura M. Kim\*  
John D. Graubert\*  
850 Tenth Street, NW  
Washington, DC 20001  
Telephone: (206) 662-5105  
E-mail: santhony@cov.com  
lflahivewu@cov.com  
lkim@cov.com  
jgraubert@cov.com

John E. Hall\*  
415 Mission Street, Suite 5400  
San Francisco, CA 94105  
Telephone: (415) 591-6855  
E-mail: jhall@cov.com

Megan L. Rodgers\*  
3000 El Camino Real  
Palo Alto, CA 94306  
Telephone: (650) 632-4734  
E-mail: mrodgers@cov.com

STIPULATED MOTION AND  
[PROPOSED] ORDER TO AMEND SCHEDULING ORDER  
(2:23-cv-0932-JHC) - 3

Davis Wright Tremaine LLP  
LAW OFFICES  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
206.622.3150 main · 206.757.7700 fax

Anders Linderot\*  
620 Eighth Avenue  
New York, NY 10018  
Telephone: (212) 841-1000  
Email: alinderot@cov.com

HUESTON HENNIGAN LLP

John C. Hueston\*  
Moez M. Kaba\*  
Joseph A. Reiter\*  
523 West 6th Street, Suite 400  
Los Angeles, CA 90014  
Telephone: (213) 788-4340  
E-mail: jhueston@hueston.com  
mkaba@hueston.com  
jreiter@hueston.com

*\*Admitted pro hac vice*

*Approved and agreed to by:*

FEDERAL TRADE COMMISSION  
*Attorneys for Plaintiff*

By s/ Evan Mendelson

Evan Mendelson, D.C. Bar #996765  
Olivia Jerjian, D.C. Bar #1034299  
Thomas Maxwell Nardini, IL Bar  
#6330190  
Sana Chaudhry (NY Bar #5284807)  
Anthony Saunders (NJ Bar #008032001)  
600 Pennsylvania Avenue NW  
Washington, DC 20580  
(202) 326-3320; emendelson@ftc.gov  
(202) 326-2749; ojerjian@ftc.gov  
(202) 326-2812; tnardini@ftc.gov  
(202) 326-2679; schaudhry@ftc.gov  
(202) 326-2917; asaunders@ftc.gov

Colin D. A. McDonald, WSBA # 55243  
Federal Trade Commission  
915 Second Ave., Suite 2896  
Seattle, WA 98174  
(206) 220-4474; cmacdonald@ftc.gov

STIPULATED MOTION AND  
[PROPOSED] ORDER TO AMEND SCHEDULING ORDER  
(2:23-cv-0932-JHC) - 4

Davis Wright Tremaine LLP  
LAW OFFICES  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
206.622.3150 main · 206.757.7700 fax

ORDER

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024.

---

JOHN H. CHUN  
UNITED STATES DISTRICT JUDGE

STIPULATED MOTION AND  
[PROPOSED] ORDER TO AMEND SCHEDULING ORDER  
(2:23-cv-0932-JHC) - 5

Davis Wright Tremain LLP  
LAW OFFICES  
920 Fifth Avenue, Suite 3300  
Seattle, WA 98104-1610  
206.622.3150 main · 206.757.7700 fax